



STATE OF WEST VIRGINIA
BOARD OF OSTEOPATHIC MEDICINE

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MEMORANDUM

DATE: August 10, 2021
TO: Mac Warner
Secretary of State
FROM: Jonathan T. Osborne
Executive Director of the West Virginia Board of Osteopathic Medicine
RE: **Suspension of Rules in Response to COVID-19**

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2021 AUG 10 P 3:28

FILED

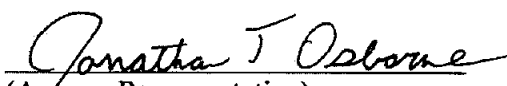
The West Virginia Board of Osteopathic Medicine requests that the rules described below be temporarily suspended, effective immediately, pursuant to W. Va. Code § 15-5-6(c)(7) and the State of Emergency declared by Governor Justice on March 16, 2020. The Board further requests that the subject rules remain suspended until the Board terminates this Notice or the State of Emergency is lifted, whichever occurs first.

The Board originally filed a memorandum on March 26, 2020, suspending certain provisions of 24 CSR 2. After amendments to 24 CSR 2 became effective following the 2020 Regular Session of the Legislature, the Board re-suspended certain provisions of 24 CSR 2 on August 10, 2020. The Board then filed an emergency version of 24 CSR 2, which became effective today requiring the Board to re-suspend certain provisions of 24 CSR 2.

1. In recognition of the potentially fluid and dynamic nature of providing medical care during the COVID-19 emergency, the Board temporarily suspends its formal procedures for creating or amending practice notifications. During the State of Emergency, PAs and health care facility representatives must notify the Board via email when a PA enters into new practice notifications. This temporary measure affects the provisions of **W. Va. CSR § 24-2-14**. The Board's temporary suspension of the fees associated with practice notifications set forth in the aforementioned provisions and 24 CSR 5 remains in effect.

2. The Board also temporarily suspends the regulations that limit collaborating physicians to practice agreements with only five PAs at one time as set forth in **W. Va. CSR § 24-2-13**. Any reference to practice agreements in 24 CSR 2 and this Memorandum only apply to physician assistants who were practicing pursuant to a practice agreement prior to July 8, 2021. A physician assistant practicing pursuant to an authorized practice agreement after July 8, 2021 must continue to practice within the terms established therein. A practice agreement in effect on July 8, 2021 may not be amended after that date. A physician assistant seeking to amend a practice agreement after July 8, 2021 must file a practice notification.

The scope of practice and prevailing standard of care applicable to PAs remain unchanged. These measures will remain in effect until terminated by the Board or the State of Emergency is lifted, whichever occurs first. Strict compliance with these rules would hinder or delay necessary action in coping with the emergency declared by the Governor.


(Agency Representative)